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| 76073 7590 09/02/2008 InfoPrint Solutions/ Blakely 1279 Oakmead Parkway Sunnyvale, CA 94085-4040 | | | | |
| EXAMINER THOMAS, ASHISH | | | | |
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/782,444

Applicant(s)

MARTINEZ, ANTHONY EDWARD

Examiner

ASHISH K. THOMAS

Art Unit

2625

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 May 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-946)
- 3) ☐ Information Disclosure Statement(s) (PTO/SF/ICE)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to the independent claims have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ogaki(U.S. 6,771,383) in view of Klein(U.S. 2005/0060059)

Regarding claim 1, Ogaki teaches a method for processing a separator page used for separating print jobs being output from a printer system(**Column 4, lines 44-48 teaches the creation of a separator page.**), said method comprising: receiving an input separator page for use in identifying a second print job(**Column 8, lines 1-10 details a scenario wherein a separator sheet is used for each print document. This implies the existence of the separator page for a second print job.**); and printing the second print job information on said input separator page thereby providing a second print job separator page. (**Figure 13 illustrates that a separator page is printed with each print job. This implies the existence of the second print job separator page.**)

But the Ogaki reference is silent on determining if said input separator page contains first print job information indicating use of the input separator page as a first print job page; and obscuring said first print job information if said first print job information is determined to be present on said input separator page.

Klein, on the other hand, teaches determining if said input separator page contains first print job information indicating use of the input separator page as a first print job page; and obscuring said first print job information if said first print job information is determined to be present on said input separator page. **(Paragraph 313 teaches the concept of using a first separator page for a first job. And Paragraph 316 teaches the concept of re-using the same separator page for the subsequent jobs. The ability to re-use the separator page implies the determining step as well as the obscuring step detailed in the claim language.)**

Therefore, it would have been obvious for one of ordinary skill in the art, at the time of the present invention, to modify Ogaki with Klein to fully put forth the method claimed in claim 1.

The motivation behind this modification is to put forth a method that prevents the wasteful usage of paper by re-using the same separator page for a plurality of print jobs.

Regarding claim 2, Ogaki further teaches the method as set forth in claim 1 wherein said determining includes obtaining a bit map image of said input separator page. **(Column 7, lines 40-44 teaches that an image of the separator sheet is obtained. This reads on the concept of obtaining the bit map image, as stated in the claim language.)**

Regarding claim 3, Ogaki further teaches the method as set forth in claim 1 wherein said determining is accomplished by scanning said input separator page using an optical scanning device. **(Column 7, lines 34-37 teaches an image reading section, which in turn inherently teaches the existence of a scanner. Note that images cannot be read without a scanning mechanism.)**

Regarding claim 4, Ogaki additionally teaches the method as set forth in claim 1 wherein said determining is accomplished by obtaining a photo image of said input separator page. **(As stated previously, column 7, lines 40-44 teaches that an image is obtained. Using the broadest reasonable interpretation of the claim language, this reads on the concept of a photographic image.)**

Regarding claim 5, Ogaki additionally teaches the method as set forth in claim 1 and further including: printing said second print job; assembling said second print job with said second print job separator page; and outputting said second print job with said second print job separator page from said printer. **(Note that column 8, lines 7-15 teaches that a separator page is attached to each print job, and the combined documents are outputted accordingly.)**

Regarding claim 6, Klein further teaches the method as set forth in claim 1 and further including: inputting said second print job separator page containing said second print job information for receiving by said printer system for processing a third input separator page to be used to identify a third print job. **(Paragraphs 313 and 316 teaches the same separator page is re-used for a plurality of jobs.)**

Regarding claim 7, it is rejected in the same manner as claim 1. Note that claim 7 divulges a storage medium that stores a machine readable code that corresponds to the method stated in claim 1.

Regarding claim 8, it is rejected in the same manner as claim 2. Note that claim 8 divulges a storage medium that stores a machine readable code that corresponds to the method stated in claim 2.

Regarding claim 9, it is rejected in the same manner as claim 3. Note that claim 9 divulges a storage medium that stores a machine readable code that corresponds to the method stated in claim 3.

Regarding claim 10, it is rejected in the same manner as claim 4. Note that claim 10 divulges a storage medium that stores a machine readable code that corresponds to the method stated in claim 4.

Regarding claim 11, it is rejected in the same manner as claim 5. Note that claim 11 divulges a storage medium that stores a machine readable code that corresponds to the method stated in claim 5.

Regarding claim 12, it is rejected in the same manner as claim 6. Note that claim 12 divulges a storage medium that stores a machine readable code that corresponds to the method stated in claim 6.

Regarding claim 13, it is rejected in the same manner as claim 1. Note that claim 13 claims a printing system that corresponds to the method stated in claim 1. Claim 13 slightly differs from claim 1 by explicitly pointing out an image acquisition device. Note

that column 7, lines 34-50 of Ogaki teaches an image reading section. This image reading section reads on the image acquisition device stated in the claim.

Regarding claim 14, it is rejected in the same manner as claim 2. Note that claim 14 claims a printing system that corresponds to the method stated in claim 2.

Regarding claim 15, it is rejected in the same manner as claim 3. Note that claim 15 claims a printing system that corresponds to the method stated in claim 3.

Regarding claim 16, it is rejected in the same manner as claim 4. Note that claim 16 claims a printing system that corresponds to the method stated in claim 4.

Regarding claim 17, it is rejected in the same manner as claim 5. Note that claim 17 claims a printing system that corresponds to the method stated in claim 5.

Regarding claim 18, it is rejected in the same manner as claim 6. Note that claim 18 claims a printing system that corresponds to the method stated in claim 6.

Conclusion

3. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any

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extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to ASHISH K. THOMAS whose telephone number is (571)272-0631. The examiner can normally be reached on 9:00 a.m. - 5:30 p.m. EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David K. Moore can be reached on 571-272-7437. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Ashish K Thomas/

Examiner, Art Unit 2625

/Mark K Zimmerman/

Supervisory Patent Examiner, Art Unit 2625